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In re Donald R. Huffman, et. al. :
Serial No.: 07/580,246 : On petition to withdraw
Filed: September 10, 1990 : or to modify requirement
For: NEW FORM OF CARBON : to copy claims

Background

In this application, there is an outstanding requirement from the examiner for the applicants to copy two suggested claims for purposes of initiating interference proceedings with U.S. Patent Nos. 5,114,477 and 5,234,474. The applicants have petitioned under 37 CFR § 1.181 and 1.183 for withdrawal or modification of the requirement to copy claims.

The petition also requests the personal intervention of the Commissioner and that a decision on the petition be specifically designated as "Final Agency Action."

Decision

For an interference proceeding to be initiated, it is not necessary for the applicants to copy any suggested claim. Accordingly, the examiner's requirement for the applicants to copy suggested claims is herein vacated. Insofar as the requirement to copy claims is vacated, the applicants' petition is granted.

The applicants' request for the personal intervention of the Commissioner is moot. The request that a decision on this petition be specifically designated as "Final Agency Action" is also moot.

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